



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Avi J. ASHKENAZI, et al.

Application Serial No. 09/989,723

Filed: November 19, 2001

For: **SECRETED AND TRANSMEMBRANE  
POLYPEPTIDES AND NUCLEIC  
ACIDS ENCODING THE SAME**

) Examiner: Wegert, Sandra L.

) Art Unit: 1647

) Confirmation No. 9893

) Attorney's Docket No. 39780-2730 P1C62

) Customer No. 35489

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**PRELIMINARY AMENDMENT**

**MAIL STOP RCE**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

On October 20, 2004, the Examiner made a final rejection to pending Claims 124, 129-131 and 135-145. A Notice of Appeal was filed on April 1, 2005, and Applicants' Appeal Brief was filed on August 30, 2005. An amended Appeal Brief was filed on November 14, 2005 and a second Notice of non-compliance was mailed on February 7, 2006 by the PTO.

Applicants submit herewith a Preliminary Amendment, which accompanies a Request for Continued Examination under 37 C.F.R. §1.114 for the above identified application with a request of four-months extension of time with necessary fees. Applicants' arguments presented in the previously filed Appeal Brief are incorporated herewith in their entirety. Consideration of the following arguments is respectfully requested.

**Pending Claims** are reflected in the listing of claims that begin on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.

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